REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application.

In the Non-Final Office Action dated March 20, 2003, the Examiner accepted the drawings as informal and acceptable for examination purposes; rejected claims 1-2, 4, 8-13, and 18-20 under 35 U.S.C. § 102(a) as being anticipated by Koppert (PTO-892 Ref U of Paper No. 5); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Koppert in view of Valent (PTO-892 Ref W of Paper No. 5); and rejected claims 5-7 and 14-16 under 35 U.S.C. § 103(a) as being anticipated by Koppert in view of DoYour (PTO-892 Ref X of Paper No. 5). Applicants respectfully traverse the rejections and reconsideration is hereby requested.

The rejection of claims 1-2, 4, 8-13, and 18-20 under 35 U.S.C. § 102(a) as being anticipated by Koppert is traversed and reconsideration is respectfully requested.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, "...inputting into a computer... the identity of a pest existing on a property; [inputting into a computer] ...the identity of a plant or crop existing on the property... ; and executing an algorithm for generating therefrom instructions for choosing a pesticide to protect said plant or crop from said pest." None of the cited references, including Koppert, singularly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicants respectfully submit that claim 1 and claims 2-12, which depend from claim 1, are allowable over the cited references.

Claim 13 is allowable over the cited reference in that claim 13 recites a combination of element including, for example, "a memory for storing ...a plant database[,] ... a pest database[,]

... and a pesticide database; and ... a processor connected to the memory and being configured to generate instructions regarding which pesticides in the pesticide database can be used to protect a plant in the plant database from a pest in the pest database." None of the cited references singularly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicants respectfully submit that claim 13 and claims 13-20, which depend from claim 13, are allowable over the cited references.

To establish a *prima facie* case of obviousness, the cited reference must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Accordingly, and for the reasons set forth below, Applicants respectfully submit a *prima facie* case of obviousness has not been established over the claimed invention.

In rejecting claim 1, the Examiner asserts Koppert teaches "... inputting into a computer... [t]he identity of a pest existing on a property...[and] [t]he identity of a plant... existing on the property... and [e]xecuting an algorithm for generating therefrom instructions for choosing a pesticide to protect said plant or crop from said pest..." To support the assertion above, the Examiner cites Koppert as teaching "... use of natural enemies requires due attention. Success depends on several factors such as crop... and the crop protection agents used. These must be combined into an appropriate system for each particular crop in various situations, where ultimately a recommended protocol is established."

Applicants respectfully submit, however, that, even though Koppert states that the successful use of "natural enemies" depends upon the crops and the crop protection agents used, Koppert remains silent as to any teaching of executing an algorithm for generating instructions for choosing a pesticide to protect an inputted plant or crop from an inputted pest (as required by claim 1) or of a processor configured to generate instructions regarding

which pesticides in the pesticide database can be used to protect a plant in the plant database from a pest in the pest database (as required by claim 13).

Indeed, it is noted that Koppert describes a "Crop Index", allowing a user to "click on the crop of their choice to find out what the best possibilities are with regard to biological control." Accordingly, and contrary to Examiner's assertion, Koppert does not teach, for example, inputting into a computer the identity of a pest existing on a property and executing an algorithm for generating instructions for choosing a pesticide to protect an inputted plant from the inputted pest.

The Examiner further states that "in the instant application, the information inputted into the computer (the identity of a pest and identity of a crop) is not linked to the information used in executing the algorithm. There is not a linking limitation connected to these separate steps."

Applicants respectfully disagree. Claim 1, for example, states "inputting into a computer... the identity of a pest... and... the identity of a plant, wherein said plant... is adversely affected by said pest; and executing an algorithm for generating... instructions for choosing a pesticide to protect said plant... from said pest." As can be seen from the excerpt above, the pesticide chosen (as determined by the generated instructions) protects "said plant" from "said pest". "Said pest" has direct antecedent support from "inputting into a computer.. the identity of a pest..." "Said plant" has direct antecedent support from "inputting into a computer.. the identity of a plant... wherein said plant is adversely affected by said pest" Applicants respectfully submit, therefore, that the "information used in executing the algorithm" is in fact "linked" to the "information inputted into the computer (identity of a pest and identity of a crop)".

In rejecting claim 13, the Examiner states "Claim 13 is rejected under the same rationale as set forth above in claim 1."

As stated above, however, Applicants respectfully submit <u>Koppert</u> fails to teach or suggest a combination of element including, for example, "a memory for storing …a plant database[,] … a pest database[,] … and a pesticide database; and … a processor connected to the memory and being configured to generate instructions regarding which pesticides in the pesticide database can be used to protect a plant in the plant database from a pest in the pest database."

The rejection of claim 3 under 35 U.S.C. § 103(a) as being unpatentable over <u>Koppert</u> in view of <u>Valent</u> is traversed and reconsideration is respectfully requested.

Claim 3 includes all of the limitations of claim 1, as discussed above, and <u>Koppert</u> fails to teach or suggest at least these features of independent claim 1 as recited above. Similarly, <u>Valent</u> fails to cure the deficiencies of <u>Koppert</u>. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claim 3 in view of claim 1, as above.

The rejection of claims 5-7 and 14-16 under 35 U.S.C. § 103(a) as being anticipated by <u>Koppert</u> in view of <u>DoYour</u> is traversed and reconsideration is respectfully requested.

Claims 5-7 include all of the limitations of claim 1, as discussed above, and <u>Koppert</u> fails to teach or suggest at least these features of independent claim 1 as recited above. Similarly, <u>DoYour</u> fails to cure the deficiencies of <u>Koppert</u>. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claims 5-7 in view of claim 1, as above.

Claims 14-16 include all of the limitations of claim 13, as discussed above, and <u>Koppert</u> fails to teach or suggest at least these features of independent claim 13 as recited above.

Similarly, DoYour fails to cure the deficiencies of Koppert. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claims 14-16 in view of claim 13, as above.
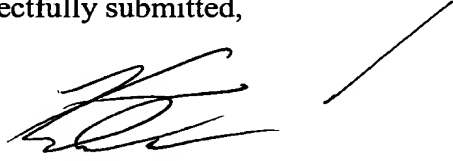
If the Examiner deems that a telephone call would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: September 22, 2003   Respectfully submitted,

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